

Notice of Allowability

Application No.

10/760,534

Examiner

Hemant M. Desai

Applicant(s)

RUBIN, RICHARD HOWARD

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 11/9/2005.
2. ☒ The allowed claim(s) is/are 1,4-15 and 18-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/05
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Zebelli on 12/²²~~20~~/2005.

The application has been amended as follows:

In the claims:

Claims 3 and 17 have been cancelled.

Claim No. 1 has been replaced as follows:

Claim 1:

-- A wrapping apparatus, comprising:

a first holder for holding first items to be wrapped;

a rotating table;

means for placing wrapping material on the rotating table when the rotating table is rotated into a first position;

means for moving one of the first items to be wrapped from the first holder onto the wrapping material on the rotating table;

a second holder for holding second items to be wrapped;

means for moving one of the second items to be wrapped from the second holder onto the wrapping material on the rotating table when the rotating table is rotated to a second position; and

a wrapping mechanism for wrapping the first item and second item in the wrapping material. --.

Replace "first item", claim 9, line 2, with -- first item and second item --.

Replace "item", claim 14, line 2, with -- first item and second item --.

Replace "item", claim 14, line 3, with -- first item and second item --.

Claim No. 15 has been replaced as follows:

Claim 15:

-- A method for wrapping items in a wrapping material, comprising:
holding first items to be wrapped in a holder;
placing the wrapping material on a rotating table when the rotating table is rotated into a first position;
moving one of the first items to be wrapped from the first holder onto the wrapping material on the rotating table;
holding second items to be wrapped in a second holder;
moving one of the second items to be wrapped from the second holder onto the wrapping material on the rotating table when the rotating table is rotated to a second position; and
wrapping the first item and second item in the wrapping material with a wrapping mechanism. --.

Replace "first item", claim 23, line 2, with -- first item and second item --.

Replace "item", claim 28, line 2, with -- first item and second item --.

Replace "item", claim 28, line 3, with -- first item and second item --.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The prior art fails to disclose the claimed apparatus and method of wrapping, including: regarding claim 1, recitation "means....position;" lines 4-5, is interpreted as means plus function according to 35 U.S.C. 112, sixth paragraph. Prior art fails to disclose the claimed means for placing for placing the wrapping material on the rotating table as disclosed in the specification and "equivalent thereof", the rotating table, and rotating the rotating table from the first position to second position to receive one of the second items. Regarding claim 15, prior art fails to disclose the rotating table, placing wrapping material on the rotating table, moving one of the second items onto the wrapping material when the rotating table is rotated to a second position.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M. Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 7:00 AM-5: 30 PM, Mon-Thurs..

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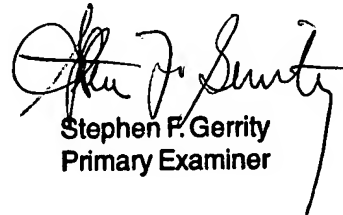
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hemant M Desai
Examiner
Art Unit 3721

HMD



Stephen F. Gerrity
Primary Examiner